

HOUSE BILL NO. 647

INTRODUCED BY S. MENDENHALL

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A CONTRACTOR OR SUBCONTRACTOR THAT PROVIDES CUSTODIAL OR JANITORIAL SERVICES ONLY IS NOT REQUIRED TO PAY EMPLOYEES ON A WEEKLY BASIS; AMENDING SECTION 18-2-423, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 18-2-423, MCA, is amended to read:

"18-2-423. Submission of payroll records -- wages paid weekly -- exception. (1) If a complaint is filed with the department alleging noncompliance with 18-2-422, the department may require the project to submit to it certified copies of the payroll records for workers employed on that project.

(2) (a) ~~A~~ Except as provided in subsection (2)(b), a contractor or a subcontractor shall pay employees receiving an hourly wage on a weekly basis.

(b) The weekly payment of wages required under subsection (2)(a) does not apply to a contractor or subcontractor that provides custodial or janitorial services under a contract for custodial or janitorial services only.

(3) If a wage violation complaint is filed with the department, the contractor or subcontractor shall provide the employee's payroll records to the department within 5 days of receiving the payroll request from the department."

NEW SECTION. Section 2. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2005.

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